

Supplemental Security Income For Noncitizens

On August 22, 1996, several laws changed the way we pay Supplemental Security Income (SSI) benefits to noncitizens. The laws apply to people who are already receiving SSI benefits and to people who are applying for benefits.

What The Laws Say

Under these laws, only United States (U.S.) citizens and nationals and certain noncitizens can get SSI benefits.

Who May Get SSI On Or After August 22, 1996

- Citizens or nationals of the U.S.
- Certain noncitizens who were lawfully residing in the U.S. on August 22, 1996 and who are blind **or** disabled, or who were receiving SSI on August 22, 1996;
- Noncitizens who are lawfully admitted for permanent residence under the Immigration and Nationality Act (INA) and have a total of 40 qualifying quarters of work.
 - Work done by your spouse or parent also may count toward the 40 quarters of work for getting SSI only.
 - Quarters of work acquired after Dec. 31, 1996, **cannot be counted** if the noncitizen, spouse or parent received certain types of federally funded benefits based on limited income and resources during that period.
- Certain noncitizens who are active duty members, or who are honorably discharged veterans, of the U.S. armed forces, their spouses and unmarried dependent children. The unremarried spouse and unmarried dependent child of a deceased veteran also may qualify.
- American Indians born outside the U.S. who are under section 289 of the INA, or who are members of federally recognized Indian tribes under section 4(e) of the Indian Self-Determination and Education Assistance Act.
- Certain noncitizens admitted as Amerasian immigrants under section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988. SSI eligibility is limited to the first seven years after being admitted.
- Cuban or Haitian entrants as defined in section 501(e) of the Refugee Education Assistance Act of 1980 may be eligible for seven years from the date their status was granted.
- Certain other noncitizens may be eligible for seven years after:
 - the date of admission as a refugee under Section 207 of the INA;
 - the date granted asylum under Section 208 of the INA; or
 - the date deportation is withheld under Section 243(h) of the INA (as in effect prior to April 1, 1997), or the date removal has been withheld under section 241(b)(3) of the INA.

Contact your local Social Security office for more detailed information about the eligibility rules for noncitizens.

We Need Proof Of Your Status

If you file a new application for SSI benefits, you must give us proof of your U.S. citizenship or noncitizen status. Noncitizens who have served in the U.S. armed forces may also need to give us proof of military service. The following are **examples** of the kind of information you may need to provide:

- as proof of citizenship—a U.S. birth certificate, passport or naturalization certificate;

- as proof of your noncitizen status—an unexpired Form I-94 or I-551 from the Immigration and Naturalization Service (INS) or an order from an immigration judge withholding deportation or granting asylum; or
- as proof of military service—U.S. military discharge papers (DD Form 214) showing honorable discharge—not based on your noncitizen status.

Your local field office can tell you what other types of evidence you can submit to prove your noncitizen status.

Limited Eligibility For Certain Noncitizens

If you can receive SSI benefits for seven years because of your particular noncitizen status, we will send you a letter telling you when the seven-year period ends. And, we will send you another letter with appeal rights before we stop your benefits.

Information About Medicaid

If you are getting Medicaid based on your SSI, your Medicaid should continue as long as you are eligible for SSI.

You Can File A New Claim

If your SSI benefits stop because you are not an eligible noncitizen, you can apply again. Contact us right away if you become a U.S. citizen, your immigration status changes and you become an eligible noncitizen, or you have gained 40 qualifying work credits (because of your work and/or that of a spouse or parent). You will need to bring us your naturalization certificate or other documents that show your immigration status.

If You Have A Sponsor

When you entered the U.S., you may have had someone sign an agreement to provide support for you. This agreement is called an affidavit of support, and the person who signed it is called your sponsor.

If you have a sponsor, we generally will count his or her (and his/her spouse's) income and resources as your income and resources for a certain period of years from the time you arrive in the U.S.

Your local Social Security office can give you more information about these rules and how they apply in your case.

Becoming A Citizen

You can get more information about becoming a citizen by writing or visiting a local INS office or calling 1-800-870-3676 to get an application for naturalization (N-400 Form).

For More Information

We invite you to visit our website at www.ssa.gov on the Internet for more information about Social Security. You also can call our toll-free telephone number, **1-800-772-1213**, 24 hours a day, seven days a week. You can speak to a service representative between the hours of 7 a.m. and 7 p.m. on business days. Our lines are busiest early in the week and early in the month, so, if your business can wait, it's best to call at other times. Whenever you call, have your Social Security number handy.

People who are deaf or hard of hearing may call our toll-free TTY number, 1-800-325-0778, between 7 a.m. and 7 p.m. business days.

We treat all calls confidentially—whether they're made to our toll-free numbers or to one of our offices. We also want to be sure that you receive accurate and courteous service. That is why we have a second Social Security representative monitor some incoming and outgoing calls.

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